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(Original Signature of Member)

115TH CONGRESS
1ST SESSION

H. R. _____

To amend title XVIII of the Social Security Act to provide prescription drug plans under part D of the Medicare program with parts A and B Medicare claims data to promote the appropriate use of medications and improve health outcomes.

IN THE HOUSE OF REPRESENTATIVES

Ms. JENKINS of Kansas introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to provide prescription drug plans under part D of the Medicare program with parts A and B Medicare claims data to promote the appropriate use of medications and improve health outcomes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROVIDING PRESCRIPTION DRUG PLANS WITH**
2 **PARTS A AND B CLAIMS DATA TO PROMOTE**
3 **THE APPROPRIATE USE OF MEDICATIONS**
4 **AND IMPROVE HEALTH OUTCOMES.**

5 Section 1860D–4(c) of the Social Security Act (42
6 U.S.C. 1395w–104(c)) is amended by adding at the end
7 the following new paragraph:

8 “(7) PROVIDING PRESCRIPTION DRUG PLANS
9 WITH PARTS A AND B CLAIMS DATA TO PROMOTE
10 THE APPROPRIATE USE OF MEDICATIONS AND IM-
11 PROVE HEALTH OUTCOMES.—

12 “(A) PROCESS.—Subject to subparagraph
13 (B), the Secretary shall establish a process
14 under which a PDP sponsor of a prescription
15 drug plan may submit a request for the Sec-
16 retary to provide the sponsor, on a periodic
17 basis and in an electronic format, beginning in
18 plan year 2020, data described in subparagraph
19 (D) with respect to enrollees in such plan. Such
20 data shall be provided without regard to wheth-
21 er such enrollees are described in clause (ii) of
22 paragraph (2)(A).

23 “(B) PURPOSES.—A PDP sponsor may
24 use the data provided to the sponsor pursuant
25 to subparagraph (A) for any of the following
26 purposes:

1 “(i) To optimize therapeutic outcomes
2 through improved medication use, as such
3 phrase is used in clause (i) of paragraph
4 (2)(A).

5 “(ii) To improve care coordination so
6 as to prevent adverse health outcomes,
7 such as preventable emergency department
8 visits and hospital readmissions.

9 “(iii) For any other purpose deter-
10 mined appropriate by the Secretary.

11 “(C) LIMITATIONS ON DATA USE.—A PDP
12 sponsor shall not use data provided to the spon-
13 sor pursuant to subparagraph (A) for any of
14 the following purposes:

15 “(i) To inform coverage determina-
16 tions under this part.

17 “(ii) To conduct retroactive reviews of
18 medically accepted indications determina-
19 tions.

20 “(iii) To facilitate enrollment changes
21 to a different prescription drug plan or an
22 MA–PD plan offered by the same parent
23 organization.

24 “(iv) To inform marketing of benefits.

1 “(v) For any other purpose that the
2 Secretary determines is necessary to in-
3 clude in order to protect the identity of in-
4 dividuals entitled to, or enrolled for, bene-
5 fits under this title and to protect the se-
6 curity of personal health information.

7 “(D) DATA DESCRIBED.—The data de-
8 scribed in this subparagraph are standardized
9 extracts (as determined by the Secretary) of
10 claims data under parts A and B for items and
11 services furnished under such parts for time pe-
12 riods specified by the Secretary. Such data shall
13 include data as current as practicable.”.